House
REPUBLICAN
Conference

FloorPrep

Legislative Digest

Wednesday, July 23, 1997

John Boehner
Chairman
8th District, Ohio

House Meets at 10:00 a.m. for Legislative Business

Anticipated Floor Action:
H.R. 2003—Budget Enforcement Act
H.R. 2160—FY 1998 Agriculture Appropriations Act
H.R. 2169—FY 1998 Transportation Appropriations Act

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H.R. 2003—Budget Enforcement Act

Floor Situation: The House will consider H.R. 2003 as its first order of business today. Yesterday, the Rules Committee granted a closed rule providing for one hour debate, equally divided between Mr. Barton and a member opposed to the bill. The rule provides for one motion to recommit, with or without instructions.

Summary: H.R. 2003 reforms the budget process to enforce the 1997 bipartisan balanced budget agreement. Under the bill, if actual revenue and spending levels fail to meet their respective targets at the end of a fiscal year, an enforcement mechanism will activate. The bill allows two actions: (1) the president and Congress can agree on legislation to either reduce entitlement spending that exceeds projections or delay tax reductions to make up for any shortages in revenues by December 15 of that year; or (2) the president and Congress can change the target caps through legislation. The bill requires that the president's budget and congressional resolutions conform to the budget targets in each of the five years, unless they have been altered through legislation. The bill was introduced by Mr. Barton and Mr. Minge. It was not considered by any committee.

Additional Information: See *Legislative Digest*, Vol. XXVI, #21, July 18, 1997.

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H.R. 2160—FY 1998 Agriculture Appropriations Act

Floor Situation: The House is scheduled to continue consideration of H.R. 2160 after it completes consideration of H.R. 2003. Appropriations bills are privileged and may be considered any time three days after they are filed; they do not require a rule for consideration. Nevertheless, yesterday, the Rules Committee granted a modified-closed rule that waives House rules prohibiting unauthorized appropriations, legislative measures in an appropriations bill, and reappropriations. The rule makes in order only the following amendments: (1) amendments which have been pre-printed in the *Congressional Record* prior to July 22, 1997; (2) amendments #21, #22, and #23, which were printed in the *Congressional Record* on July 22; and (3) an amendment by Mr. Obey that the House began considering yesterday. Each amendment is debatable for 10 minutes, except as otherwise noted, equally divided between a proponent and an opponent. The rule permits the chairman of the Committee of the Whole to postpone votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. It states that only the majority leader or Appropriations Committee Chairman may offer a motion to rise if another such motion was rejected previously. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.R. 2160 appropriates $49.6 billion in new FY 1998 budget authority for agriculture programs, $4.3 billion less than FY 1997 and $2.7 billion less than the president's request. When scorekeeping adjustments are taken into account, the bill provides $35.8 billion for mandatory programs (almost 80 percent of the total) and $13.7 billion for discretionary programs.

Much of the mandatory spending goes toward (1) food stamps ($25.1 billion), (2) restoring the borrowing authority of the Commodity Credit Corporation ($783.5 million), (3) child nutrition programs ($7.8 billion), (4) the Federal Crop Insurance Corporation ($1.6 billion), as well as (5) $1.1 billion for the Food for Peace (*P.L. 480*) program. Funding for the supplemental nutrition program for Women, Infants, and Children (WIC) is $3.9 billion, $118 million more than last year. In addition, the bill limits spending on the Export Enhancement Program to $205 million.

Regarding discretionary accounts, the bill appropriates $73.6 million more than last year for cooperative state research and extension programs, $24 million more for the Rural Housing Service, and $29 million more for the Food Safety and Inspection Service. In contrast, it provides $43.9 million less for the Farm Service Agency. CBO estimates that enactment of H.R. 2160 will result in outlays of $41.7 billion in FY 1998, $5.4 billion in FY 1999, $566 million in FY 2000, $270 million in FY 2001, and $465 million in FY 2002 and future years. The bill was submitted by Mr. Skeen; the Appropriations Committee ordered the bill reported by voice vote on July 9, 1997.

Views (on the overall bill):

Republican Leadership: Supports
Chairman Livingston (Full): Supports
Chairman Skeen (Sub): Supports
Clinton Administration: Conditionally Supports

Amendments: Yesterday, the House began considering, but did not vote on, the following amendment:

* an amendment by **Mr. Obey**, debatable for 30 minutes, to increase funding for the Women, Infants, and Children (WIC) supplemental nutrition program by $23.7 million and reduce funding for the federal crop insurance corporation's (FCIC) sales commissions by $36 million. The bill currently provides $188.6 million for sales commissions ($36 million more than the president's request) to private insurance companies participating in the FCIC program, which reimburses private companies for expenses associated with selling and servicing crop insurance policies.

Under the modified closed rule, only the following amendments may be considered. Each is debatable for 10 minutes, except as otherwise noted:

Messrs. Chabot, Schumer, Royce, and Bass may offer an amendment (#22) to prohibit funds from being used for the Commodity Credit Corporation's market access program (MAP), enacted as part of the 1978 Agricultural Trade Act. MAP is a mandatory program that does not require an annual appropriation. The 1996 Farm Bill authorized $90 million for the program. MAP funds market development and promotion efforts, on a cost-sharing basis, for nonprofit agricultural trade organizations, state and regional trade groups, and private companies. Proponents of the amendment argue that the program is "corporate welfare" and that the taxpayers should not be forced to subsidize the marketing expenses of big corporations in foreign countries. Opponents of the amendment counter the MAP provides critical assistance to maintain and expand export markets for U.S. agricultural goods and that MAP funds, which are targeted to small businesses, only supplement, not replace, private spending on market promotion. ***Staff Contact: Tony Condia (Chabot), x5-2216; Kate Scheeler (Schumer), x5-6616***

Ms. Clayton may offer an amendment (#12) to increase funding for the food stamp program by $2.5 billion (the bill's current level is $25.1 billion, $2.5 billion less than FY 1997) and reduce each other appropriation in the bill by five percent. ***Staff Contact: Francesca Fierro, x5-3101***

Ms. Clayton may offer an amendment (#13) to increase funding for the Women, Infants, and Children (WIC) supplemental nutrition program by $184 million to equal the president's request (the bill's current level is $3.9 billion, $118 million more than FY 1997) and reduce each other appropriation in the bill by 0.37 percent. ***Staff Contact: Francesca Fierro, x5-3101***

Mr. Cox may offer an amendment (#1) to prohibit the use of U.S. funds (from the *P.L. 480* Food for Peace program) to deliver food aid to North Korea. Proponents of the amendment argue that the U.S. does not have a moral obligation to feed a country that (1) is a sworn enemy of the United States, (2) has massed a million-man army within range of 37,000 American troops defending a loyal ally in South Korea, and (3) has threatened to incinerate our ally and our 37,000 soldiers in a "sea of flames." Opponents counter that the United States has always answered the call to provide humanitarian aid to starving people and argue that food aid does not prop up the North Korean government, but feeds hungry men, women, and children who suffer under a Communist regime. ***Staff Contact: Mark Lagon, x6-0678***

* **Mr. Hall (OH)** may offer a secondary amendment to the Cox amendment to ensure that famine relief provided by the United Nation's World Food Program and other private organizations may still be provided to North Korea. ***Staff Contact: Kim Miller, x5-6465***

Mmes. Lowey, Degette, and Smith (WA) and Messrs. Hansen and Meehan may offer an amendment (#3), debatable for 30 minutes, to prohibit funds in the bill from being used for tobacco crop insurance, which is estimated to provide $34 million in savings. The amendment exempts crop insurance policies already in effect on the date of enactment. Proponents of scaling back tobacco programs argue that the government should not be subsidizing such an unhealthy product, considering recent revelations about tobacco company knowledge of the severe health consequences of their products, when it is subsidizing other programs to specifically curb tobacco use. Opponents of scaling back the tobacco program point out that there is little, if any, link between programs that assist farmers and a consumer's choice to smoke, and that even tobacco farmers need to receive assistance to insure against natural disasters and encourage environmentally sound cropping practices (as typically offered for other commodities). ***Contact: Matthew Traub (Lowey), x5-6506***

Mr. Meehan and Mr. Hansen may offer an amendment (#4) to increase funding for the FDA's tobacco initiatives by $14 million and offset the increase by reducing funding for the federal crop insurance corporation's (FCIC) sales commissions by an equal amount. ***Staff Contact: Bill McCann (Meehan), x5-3411***

Mr. Miller (FL) and Mr. Schumer may offer an amendment (#21), debatable for 30 minutes, to prohibit funds in the bill from being used to carry out the "non-recourse" loan portion of the sugar program. The amendment leaves intact the "recourse" loan program for processors, as well as the sugar tariff rate quota. "Recourse" means processors are obligated to repay the loan with interest in cash, rather than exercise the legal right (under "non-recourse" policy) to hand over sugar offered as collateral in full payment of the loan. Proponents of the amendment argue that recipients (processors, not farmers) of "non-recourse" loans receive the loans at below market rates—making taxpayers bear all the risk—yet still force sugar prices on consumers at almost twice the cost of the world market. Opponents of the amendment counter that reducing the subsidy will increase financial uncertainty for sugar farmers and thus continue to erode their "safety net." In addition, it will devastate an efficient sugar industry by driving producers out of business and wreak havoc on consumers and industrial users who rely on timely shipments of sugar. ***Staff Contact: Stephanie Elrad (Miller), x5-5015; Kate Scheeler (Schumer), x5-6616***

Mr. Neumann and Mr. Kanjorski may offer an amendment (#17), debatable for 30 minutes, to establish a maximum market price for peanut sales of $550 per ton. The 1996 Farm Bill established a maximum market price for peanuts of $610 per ton. Supporters contend that peanut prices are artificially inflated, at the expense of consumers, and that even with a reduction, the market price of $550 per ton is still $200 per ton higher than the world market price. However, opponents counter that the 1996 Farm Bill reduced the quota support level by 10 percent and argue that the 1996-enacted provisions should be given an opportunity to work. ***Staff Contact: Scott Heins (Neumann), x5-3031; Alan Pentz (Kanjorski), x5-6511***

Mr. Pombo may offer an amendment (#23) to prohibit funds made available in Title III (rural economic and development programs) to provide assistance to any housing project located in the City of Galt, California. ***Contact: x5-1947***

Mr. Sanders and Mr. LoBiondo may offer an amendment (#18) to increase funding for the Meals on Wheels program by $5 million and offset the increase by reducing funding for FDA salaries and expenses by 0.6 percent. ***Staff Contact: Steve Bressler, x5-4115***

Mr. Smith (MI) may offer an amendment (#14) to prohibit funds in the bill from being used to pay the salaries and expenses of personnel employed at, or for providing support services to, any National Resources Conservation Service regional office. ***Contact: x5-6276***

Mr. Stenholm and Mr. Dooley may offer an amendment (#2 or #9) to strike the limitation on the use of funds for the positions of Deputy and Assistant Deputy Administrator within the Farm Service Agency. ***Staff Contact: John Riley (Stenholm), x5-0317***

Mr. Wynn may offer one of four amendments (#10, #11, #15, or #16) to increase funding for civil rights enforcement through the USDA's departmental administration account by $1.5 million and reduce spending for the Market Access Program by an equal amount. ***Staff Contact: Claudia Arko, x5-8699***

Mr. Wynn may offer one of two amendments (#19 or #20) to increase funding for civil rights enforcement through the USDA's departmental administration account by $1.5 million and reduce spending for the bill's discretionary accounts by 0.1 percent (totaling approximately $1.5 million). ***Staff Contact: Claudia Arko, x5-8699***

Additional Information: See *Legislative Digest*, Vol. XXVI, #20, Pt. II, July 14, 1997.

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H.R. 2169—FY 1998 Transportation Appropriations Act

Floor Situation: The House is scheduled to consider H.R. 2169 after it completes consideration of H.R. 2160. Appropriations bills are privileged and may be considered any time three days after they are filed; they do not require a rule for consideration. Nevertheless, on Thursday, July 17, the Rules Committee granted an open rule providing for one hour of general debate, equally divided between the chairman and ranking minority member of the Appropriations Committee. The rule waives the requirement that a committee report be available for three days before consideration, as well as House rules prohibiting unauthorized appropriations, legislative provisions in an appropriations bill, and reappropriations. It self-executes (i.e., incorporates into the base text upon passage of the rule) two amendments: (1) to strike the Staten Island-Midtown Ferry service project and replace it with the St. George Ferry terminal project; and (2) strike provisions outlining congressional consideration procedures for recommendations from the Total Realignment of Amtrak Commission. The rule grants priority in recognition to members who have their amendments pre-printed in the *Congressional Record*. The chairman of the Committee of the Whole may postpone votes and reduce the voting time on a postponed vote to five minutes, provided that it takes place immediately following a 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.R. 2169 appropriates $13.1 billion in net new budget authority for transportation programs in FY 1998, approximately $2 billion more than in FY 1997 and $9.9 million more than the president's request. It also provides $27.7 billion in limitations on obligations, $3.7 billion more than the 1997 level, and $2.1 billion more than the president's request. The $42 billion measure increases funding for highway, aviation, rail and public transportation programs, with highway programs gaining the most. The bill is $31 million below the subcommittee's 602(b) allocation. Increases above the FY 1997 level are mostly due to $1.7 billion in contract authority from the FY 1997 Supplemental Appropriations Act (*P.L. 105-18*). The bill allows the expenditure of $29.7 billion from federal transportation trust funds in FY 1998 (an increase of approximately $3.7 billion above the FY 1997 level).

Specifically, the bill appropriates (1) $13.1 billion to the Department of Transportation programs (a $1.1 billion increase over the FY 1997 level); (2) $3.9 billion for the U.S. Coast Guard (a $405.2 million increase); (3) $7.4 billion for the Federal Aviation Administration (a $768.6 million increase), including $5.3 billion for operations and $1.9 billion for facilities and equipment (a $374.5 million increase and $81.5 million increase, respectively); (4) $918.8 million for the Federal Railroad Administration (a $112.8 million decrease from the FY 1997 level); and (5) $627.7 million for the Federal Transit Administration ($195.3 million less than last year).

The bill concentrates on safety issues by increasing funds for the Federal Aviation Administration, including the installation of airport security devices, alert systems to prevent runway collisions, new runway lighting systems, and improved weather detection and forecasting systems. It also increases FAA personnel by adding 500 air-traffic controllers and 326 staff members responsible for safety certification and regulation. The bill increases funding for the U.S. Coast Guard's operating expenses to target the increase of ocean drug trafficking. While capital appropriations for Amtrak increased by $30 million over last year's level, its operations account decreased by $81.5 million. In addition, the bill increases funding for Amtrak's Northeast Corridor Improvement program by $75 million over FY 1997. Spending cuts included in the bill are generally administrative cuts to the Transportation Department, including the Office of the Secretary, the Federal Highway Administration, the Federal Transit Administration, and the Federal Aviation Administration.

Views (on the overall bill):

Republican Leadership: Supports
Chairman Livingston (Full): Supports
Chairman Wolf (Sub): Supports
Clinton Administration: No Position Available

Amendments: At press time, the *Legislative Digest* was unaware of any amendments to H.R. 2169.

Additional Information: See *Legislative Digest*, Vol. XXVI, #21, July 18, 1997.

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PLEASE NOTE: UNDER AN OPEN RULE, MEMBERS MAY OFFER ENTIRELY NEW AMENDMENTS TO A BILL AT ANY TIME, REGARDLESS OF WHETHER THEY HAVE BEEN PRE-PRINTED IN THE *CONGRESSIONAL RECORD.*